

Date: February 9, 2005

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria VA, 22313-1450 by "First Class Mail" service.

Donald S. Prater
Name (Print)

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BROWN et al.

Application No.: 10/047,440

Filed: January 14, 2002

Docket No.: 542286CON (3600-226-01)

Examiner: BOS, Steven J.

Group Art Unit: 1754

Confirmation No.: 4701

For: PROCESS FOR PRODUCING NIOBIUM AND TANTALUM COMPOUNDS

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(d)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 9, 2005

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. Pursuant to the current United States Patent and Trademark Office rules, no copies of U.S. Patents/Patent Application Publications are provided. This Information Disclosure Statement is being submitted after the Notice of Allowance, but before payment of the issue fee.

The undersigned hereby certifies that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and

02/14/2005 RFEKADU1 00000001 030060 10047440

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Fourth Supplemental Information Disclosure Statement
U.S. Patent Application No. 10/047,440

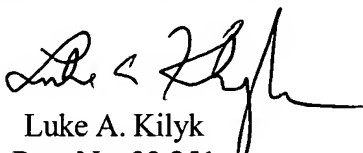
1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Please charge the filing fee of \$180.00 to Deposit Account No. 03-0060. In the event that any additional fees are due in connection with this paper, please charge such fees to Deposit Account No. 03-0060.

Respectfully submitted,


Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No.: 542286CON (3600-226-01)
KILYK & BOWERSOX, P.L.L.C.
53 A East Lee Street
Warrenton, VA 20186
Tel.: (540) 428-1701
Fax: (540) 428-1720
Enclosures: Form PTO-1449 w/22 Documents

FORM PTO-1449 (REV 7-80)	Atty. Docket No. 542286CON (3600-226-01)	Application No. 10/047,440
INFORMATION DISCLOSURE STATEMENT	APPLICANT: BROWN et al.	
	Filing Date: October 1, 2002	Group Art Unit: 1754

U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE, IF APPROPRIATE	
	2,819,945	1/14/58	Ruhoff et al.	23	18		
	2,950,966	8/30/66	Foos	75	121		
	5,068,097	11/26/91	Eckert et al.	423	592		

FOREIGN PATENT DOCUMENTS								
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO		
	DE 40 30 707 A1	4/2/92	Germany	C01G	33/00			X
	JP 1-176226	7/12/89	Japan	C01G	33/00			X

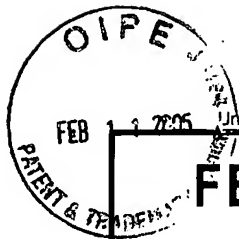
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Translation of Brief filed by H.C. Starck on December 8, 2004, Opposition against EP 0 854 841 B1 (Application No. 96937666.4) "Niobium and Tantalum Pentoxide Compounds."
	D3C: Purchase Order -- Kyocera K.K. (with translation)
	D3D: Delivery Note -- Kyocera K.K. (with translation)
	D3E: Inspection Certificate Lot 930367
	D3F: Dispatch Note Kyocera
	D3H: Customer Acceptance
	D4A: Cabot Material Evaluation Report
	D5C: 2 Purchase Orders Asahi Kogaku Kogyo (with translation)
	D5D: 2 Purchase Orders Asahi Kogaku Kogyo (with translation)
	D5E: Invoice Asahi Kogaku Kogyo (with translation)
	D5F: Invoice Asahi Kogaku Kogyo (with translation)
	D5G: Invoice Asahi Kogaku Kogyo (with translation)
	D5H: Inspection Certificate Asahi Optical
	D5K: Dispatch Note Asahi Optical
	D5L: Invoice H.C. Starck Japan
	D5M: Invoice H.C. Starck Japan
	D5N: Dispatch Note Asahi Optical

FORM PTO-1449 (REV 7-80)	Atty. Docket No. 542286CON (3600-226-01)	Application No. 10/047,440
INFORMATION DISCLOSURE STATEMENT	APPLICANT: BROWN et al.	
	Filing Date: October 1, 2002	Group Art Unit: 1754

D5O: Inspection Certificate Asahi Optical
D11: Experimental Data "Nb ₂ O ₅ Precipitations according to DE 3428788 A1" (with translation)
D12: Experimental Data Ta ₂ O ₅ /Nb ₂ O ₅ Precipitations according to EP 0854841 B1" (with translation)

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number	10/047,440
Filing Date	January 14, 2002
First Named Inventor	BROWN et al.
Examiner Name	Steven J. Bos
Art Unit	1754
Attorney Docket No.	542286CON (3600-226-01)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number

Deposit
Account
Name

03-0060

Cabot Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Claims	-20**=	X		
		-3**=	X		
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	**Reissue independent claims over original patent	
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0.00)

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney Agent)	33,251	Telephone	1-540-428-1701
Signature				Date	February 9, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Date: February 9, 2005 I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Donald S. Prater

Name (Print)

Signature